



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Steven Savage, Greg Brucker and Douglas J. Duchon	Confirmation No.	7833
Serial No.:	10/695,845		
Filed:	October 29, 2003	Customer No.:	28863
Examiner:	Phillip A. Gray		
Group Art Unit:	3767		
Docket No.:	1105-003US02		
Title:	ANTI-RECOIL CATHETER		

**APPLICANT'S COMMENTS ON EXAMINER'S
STATEMENT OF REASONS FOR ALLOWANCE**

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant respectfully requests that the following comments be placed into the prosecution record prior to issuance of the above-identified application.

Applicant does not acquiesce to the Examiner's Statement of Reasons for Allowance and respectfully submits that other reasons for allowance may also exist. Applicant also points out that the different independent claims are not identical, and that the specific features addressed by the Examiner in the Statement of Reasons for Allowance do not appear verbatim in every independent claim. Furthermore, the Examiner stated that the "catheter including these balanced openings and restrictor of the claimed elements have not been found on the prior art of record" (emphasis added). Applicant respectfully points out that none of the allowed claims recite the term "balanced openings." Instead, Applicant's allowed claims recite that "forces resulting from fluid flow out of said openings . . . and from fluid flow out of said elastic restrictor are substantially balanced in both axial and radial directions."

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Reply to Notice of Allowance

To the extent that the entire language recited by the Examiner in the Statement of Reasons for Allowance appears verbatim in Applicant's claims, Applicant agrees with the Examiner that such features define at least one reason for allowance, although other reasons may also exist. Furthermore, Applicant's dependent claims may be allowable for additional reasons not cited by the Examiner.

In the Statement of Reasons for Allowance, the Examiner noted that "[f]urther reasons for allowance have also been stated in the applicant's remarks of 7/28/2009 paragraph remarks [sic] at pages 7-8 concerning the securing abutments and distinguishing it from Wallace." Applicant agrees that the remarks submitted on July 28, 2009, in response to the Final Office Action dated April 30, 2009, provide one or more reasons for allowance of the pending claims. However, in addition to certain typographical errors in the Examiner's Statement of Reasons for Allowance, Applicant believes that the Examiner made one or more substantive errors in above-quoted statement, because nowhere did Applicant describe "securing abutments" or a "Wallace" reference in the remarks submitted on July 28, 2009. Instead, Applicant asserted that the Kinoshita reference fails to disclose or even suggest every feature of Applicant's claims.

Date: November 12, 2009

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By: 

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